

REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendments and discussion presented herein.

1. Allowance of Claims 59-94.

The Applicant thanks the Examiner for allowing Claims 59-94.

2. Amendment of Claims 95-144.

The Applicant has amended Claims 95-144 in view of the indication of allowability of Claims 39-43 and 53-57 in the prior Office Action.

In response to the prior Office Action, Claims 39-43 and 53-57 were canceled, and Claims 95-144 were added to correspond to the allowable claims written in independent form. Claims 95-119 correspond to Claims 39-43 and Claims 120-144 correspond to Claims 53-57.

However, due to an oversight, limitations added in Applicant's Amendment filed on February 5, 2002 were omitted from Claims 95-144. As a result, the instant Office Action contains a final rejection of those claims.

The Applicant apologizes for this oversight, as well as the resulting confusion and inconvenience caused to the Examiner. As explained to the Examiner by telephone on May 21, 2003, the Applicant is correcting this oversight in this response.

The following is an outline of the subject matter of Claims 95-144 as amended herein:

- (a) Claims 95-100 are independent (corresponding to Claim 39).
- (b) Claim 101 is multiple dependent from Claims 95-100 (corresponding to Claim 40).

- (c) Claims 102-107 are independent (corresponding to Claim 41).
- (d) Claims 108-113 are independent (corresponding to Claim 42).
- (e) Claims 114-119 are independent (corresponding to Claim 43).
- (d) Claims 120-125 are independent (corresponding to Claim 53).
- (e) Claim 126 is multiple dependent from Claims 120-125 (corresponding to Claim 54).
- (f) Claims 127-132 are independent (corresponding to Claim 55).
- (g) Claims 133-138 are independent (corresponding to Claim 56).
- (h) Claims 139-144 are independent (corresponding to Claim 57).

The Applicant has endeavored to use language which is identical to that contained in Applicant's amendment filed on February 5, 2002, except in those cases where, for consistency in certain claims, the Applicant has chosen to use the phrase "wherein said optical switch is configured" rather than "said optical switch configured". In addition, the conjunction "and" between elements of certain claims for grammatical correctness in view of the amendments made herein. Similarly, the phrase "further configured" has been changed to "configured" in certain claims for grammatical correctness in view of the amendments herein.

No new matter has been added, and the Applicant respectfully submits that Claims 95-144 reflect the subject matter that the Examiner indicated would render those claims allowable.

3. Conclusion.

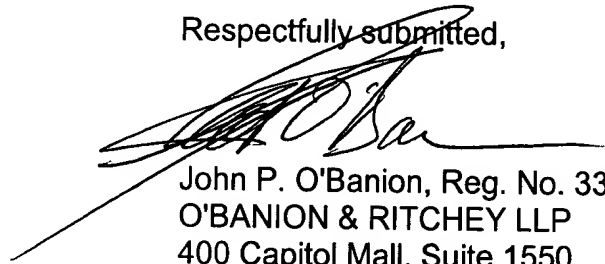
In view of the above, Claims 95-144 are believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the

outstanding rejection of the claims and to allow this application to issue with pending Claims 59-144.

The Applicant also respectfully requests a telephone interview with the Examiner in the event that there are questions regarding this response, or if the next action on the merits is not an allowance of all pending claims.

Date: 5/21/2003

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John P. O'Banion", written over a horizontal line.

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